

*Handwritten initials/signature*

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

DEC 30 2014

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

1 EDDIE SANTANA

Plaintiff,

vs.

2 ENHANCED ACQUISITIONS, LLC

Defendant.

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CASE NO:

**14 CV - 781 CVE - FHM**

COMPLAINT

**JURISDICTION AND VENUE**

This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331, 28 U.S.C. §1367, and 15 U.S.C. § 1692(a) et. seq., also known as the Fair Debt Collections Practice Act, as well as pendant State jurisdiction. Venue is correct as the cause of action arose in Tulsa County.

**PARTIES**

1. At all times referred to herein, Plaintiff Eddie Santana (herein, "Plaintiff") was a resident of the City of Tulsa, County of Tulsa, State of Oklahoma.

2. At all times referred to herein, Defendant Enhanced Acquisitions, LLC (herein, "Enhanced") was a business in the State of New York actively trying to collect a debt from me, the Plaintiff, in the State of Oklahoma.

**BACKGROUND FACTS**

3. I, the Plaintiff am on social security disability; therefore have a fixed, and limited income.

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4. Plaintiff has told the defendant and defendant is aware, or should be aware that I am on a limited fixed income.

5. The defendant is currently and aggressively trying to collect a debt from me from the State of New York.

6. I have never been contacted by the defendant at all concerning the debt other than being contacted by some unidentified party regarding some bogus story that someone is trying to criminally prosecute me (the Plaintiff) for passing a fraudulent check.

7. I would not have known that it was the defendant trying to collect a debt from me if I had not by chance checked my credit report and saw the defendant listed as a collection agency (See Attached).

8. I contacted the defendant and tried to resolve the debt with doable monthly payments. However, the defendant insists on lump sum payments, which I cannot do because of my fixed income. Therefore the defendant is deliberately keeping me (the Plaintiff) down and disparaged at the credit bureau.

9. This action is for a call to accountability of the defendant, for illegal and unethical collection practices.

### **INJURY TO PLAINTIFF**

10. As the direct result of Defendants' unlawful harassment, I, the Plaintiff have had no peace or tranquility under the various threats, violations and strong arm tactics.

11. Plaintiff has no adequate remedy at law or otherwise. Accordingly, Plaintiff is entitled to injunctive, declaratory or monetary relief.

## **CLAIMS**

### **COUNT ONE - VIOLATION OF SECTION (e) OF THE FAIR DEBT COLLECTIONS PRACTICE ACT (FDCPA) - FAILURE TO COMMUNICATE THE DEBT**

12. Plaintiff repleads and incorporates by reference herein the allegations contained in Paragraphs 1 through 11 of this Complaint.

13. The FDCPA requires that a creditor contact the debtor(s) they are trying to collect from, which Enhanced failed to do. The code states in part, "...Without limiting the general application of the foregoing, the following conduct is a violation of this section:...(11) The failure to disclose in the initial written communication with the consumer" (15 U.S.C. § 1692(e)(11)).

### **COUNT TWO - VIOLATION OF SECTION (f) OF THE FAIR DEBT COLLECTIONS PRACTICE ACT (FDCPA) - UNFAIR PRACTICES**

14. Plaintiff repleads and incorporates by reference herein the allegations contained in Paragraphs 1 through 13 of this Complaint.

15. Although a violation not expressly enumerated, the defendant will not accept any payment of the debt except in lump sums (in full, a half, or even a third). This in effect precludes me from paying off the debt because of my limited income and continues to mar my credit report and good name. The codes states in part, "A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the

general application of the foregoing” (15 U.S.C. 1692(f)). Therefore, the practice of the defendant can be included as a violation within the context of the law.

### **DAMAGES SOUGHT**

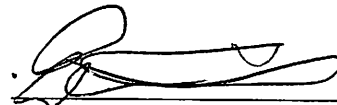
16. Defendants have reported negatively about me, the Plaintiff to Transunion, Equifax and Experian. A healthy credit report these days is as necessary as a vehicle in order to get employment, insurance, a mortgage, car loan, and other things. By maliciously interfering with Plaintiff's credit the Defendants are intentionally causing harm to the reputation and life of the Plaintiff. For the violations of the FDCPA the Plaintiff is seeking \$2000. Total damages sought are \$2,000 and/or an order enjoining the defendants from violating the FDCPA any further and invalidating the Plaintiff's debt to the Defendant.

### **PRAYER FOR RELIEF**

WHEREFORE, premises considered, Plaintiff respectfully prays for the following relief:

- a. judgment in the amount of two thousand dollars (\$2,000.00);
- b. an order enjoining any further violations and an order enjoining Enhanced from pursuing Plaintiff any further for a debt;
- c. further relief as the court deems just and proper.

Respectfully submitted,



Eddie Santana  
Plaintiff, Pro Se  
731 E. 43<sup>rd</sup> St. N.  
Tulsa, Ok. 74106  
(949) 200-0779

## Verification

STATE OF OKLAHOMA )  
COUNTY OF TULSA )

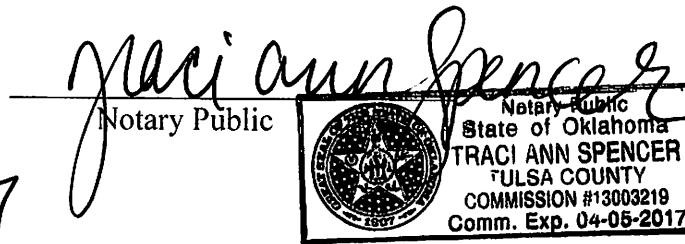
Eddie Santana, being first duly sworn upon oath, states:

He is the Petitioner above named, that she has read the above and foregoing Complaint and knows the contents thereof, and that the matter set forth are true and correct.



Eddie Santana

Sworn and subscribed before me this 30 day of December  
2014.

  
Notary Public

My Commission Expires: 4-5-17

